

CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 11/18/03
AGENDA ITEM 2
WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Utility Service Agreement 03-03 – Hayward Area Recreation and Park District (Applicants/Owners) – Authorize the City Manager to Execute a Utility Service Agreement for Water Service for a Property Located on Five Canyons Parkway

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution:

- 1) Authorizing the City Manager to execute a Utility Service Agreement to provide water service for the park; and, Agreement with HARD and EBMUD regarding water service; and
- 2) Directing staff to apply to the Local Agency Formation Commission (LAFCO) for approval of the Utility Service Agreement.

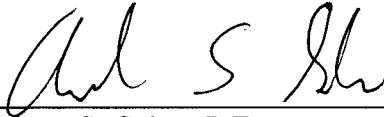
DISCUSSION:

The Hayward Area Recreation and Park District is currently constructing a 12-acre park on Five Canyons Parkway, just east of its intersection with Fairview Drive. The park is within the service area for the East Bay Municipal Utilities District (EBMUD), but they do not have adequate water facilities within the vicinity of the park. The closest EBMUD water main is approximately 400 feet away, but the main would not have sufficient pressure for the required services if it were extended. The City does have water lines, with sufficient capacity to serve the park, within Five Canyon Parkway and adjacent to the park.

The EBMUD Board has reviewed and approved HARD's request to utilize City water within the park. Therefore, HARD has requested processing of a Utility Service Agreement for a City water service. This agreement needs to be approved by the City Council and the Alameda County Local Area Formation Commission, consistent with previous agreements approved for providing utility service to properties outside the City limits.

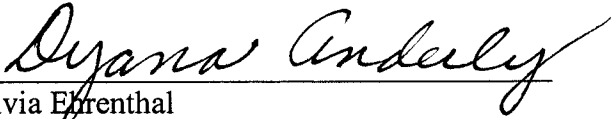
These applications are Categorically Exempt per CEQA Guideline Section 15301(b) (existing facilities of a publicly owned utility). If the agreement is approved, the City will subsequently apply to LAFCO for approval of the agreement.

Prepared by:



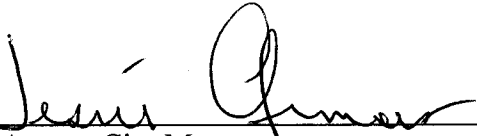
Andrew S. Gaber, P.E.
Development Review Services Engineer

Recommended by:



for Sylvia Ehrenthal
Director of Community and Economic Development

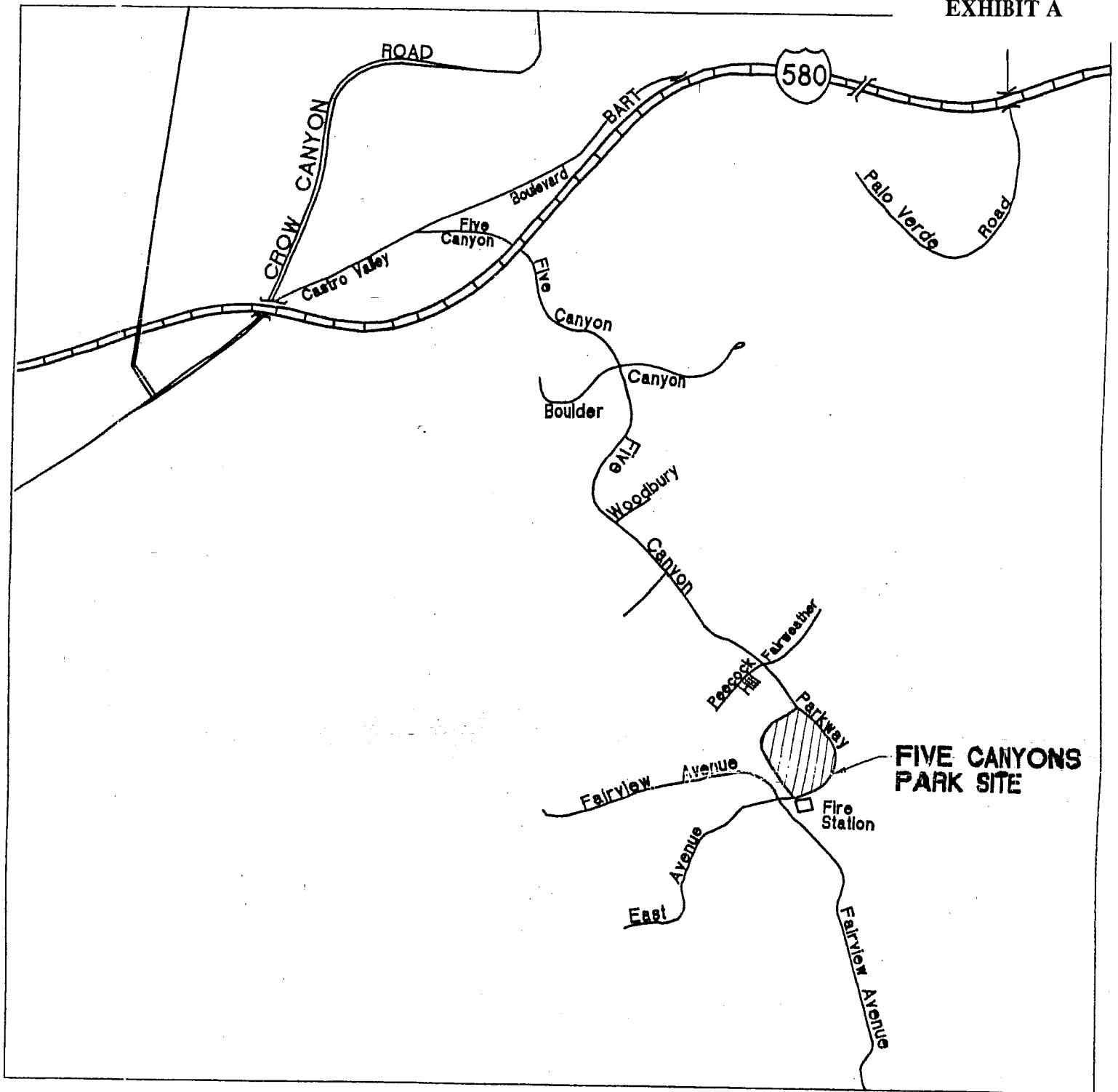
Approved by:



Jesús Armas, City Manager

Attachments: Exhibit A. Area Map
Draft Resolution

11/14/03



PROJECT SITE LOCATION MAP



HAYWARD CITY COUNCIL

RESOLUTION NO. 03-

Introduced by Council Member _____

me
11/14/03

RESOLUTION AUTHORIZING THE CITY MANAGER TO
APPLY TO LAFCO FOR APPROVAL OF UTILITY SERVICE
AGREEMENTS (USA 03-03) TO PROVIDE WATER
SERVICE FOR THE PARK LOCATED IN FIVE CANYONS
PARKWAY AND FURTHER AUTHORIZING THE CITY
MANAGER TO EXECUTE SUCH AGREEMENTS FOR
WATER SERVICE

WHEREAS, Hayward Area Recreation and Park District (HARD)
(Applicant/Owners) is constructing a 12-acre park in the Five Canyons Parkway located
outside the City of Hayward city limits in the East Bay Municipal Utilities District (EBMUD);
EBMUD does not have adequate water facilities within the vicinity of the park. HARD and
EBMUD are proposing an agreement with the City of Hayward to utilize its water service; and

WHEREAS, pursuant to City policy, the Applicants have executed an
agreement approving the arrangements; approval by the Hayward City Council and the
Alameda Local Area Formation Commission is required in order for the City of Hayward to
provide service outside the City Limits; and

WHEREAS, the applications are categorically exempt pursuant to California
Environmental Quality Act (CEQA) Guideline section 15301(b) (existing facilities of a
publicly owned utility); and

WHEREAS, the City is required to apply to LAFCO for approval of the utility
service agreements, for which the Applicants have agreed to pay.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward
that the City Manager is authorized to file an application with the Alameda County Local
Agency Formation Commission ("LAFCO") for approval of the utility service agreement
(Utility Service Agreement 03-03) in connection with the water services to be provided at Five
Canyons Parkway.

BE IT FURTHER RESOLVED that the City Manager is also authorized to execute
utility service agreements and an agreement for water service with HARD and EBMUD in the
form of the agreements on file in the office of the City Clerk, to which reference may be made
for further particulars, following the LAFCO's approval of the utility service agreements
pursuant to Government Code section 56133.

IN COUNCIL, HAYWARD, CALIFORNIA November 18, 2003

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ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward